

ORDERED ACCORDINGLY.



1 **TIFFANY & BOSCO**
2 P.A.

3 Dated: October 28, 2009

4 **2525 EAST CAMELBACK ROAD**
5 **SUITE 300**
6 **PHOENIX, ARIZONA 85016**
7 **TELEPHONE: (602) 255-6000**
8 **FACSIMILE: (602) 255-0192**



GEORGE B. NIELSEN, JR
U.S. Bankruptcy Judge

9 Mark S. Bosco
10 State Bar No. 010167
11 Leonard J. McDonald
12 State Bar No. 014228
13 Attorneys for Movant
14 09-24514/0007826525

15 **IN THE UNITED STATES BANKRUPTCY COURT**
16 **FOR THE DISTRICT OF ARIZONA**

17 IN RE:

18 No. 2:09-BK-23607-GBN

19 Kenneth R. Mathias
20 Debtor.

21 Chapter 7

22 SouthTrust Mortgage, Wachovia Bank(F/K/A
23 SouthTrust Bank) Wachovia Bank, Wachovia
24 Mortgage
25 Movant,

26 ORDER

vs.

(Related to Docket #14)

Kenneth R. Mathias, Debtor, Dale D. Ulrich,
Trustee.

Respondents.

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed

Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real
2 property which is the subject of a Deed of Trust dated January 4, 2006 and recorded in the office of the
3 Maricopa County Recorder wherein SouthTrust Mortgage, Wachovia Bank(F/K/A SouthTrust Bank)
4 Wachovia Bank, Wachovia Mortgage is the current beneficiary and Kenneth R. Mathias has an interest
5 in, further described as:

6 Lot 77, DEER VALLEY ESTATES UNIT 2, according to Book 141 of Maps, Page 3, records of
7 Maricopa County, Arizona

8 IT IS FURTHER ORDERED that Movant may contact the Debtor(s) by telephone or written
9 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance
10 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement
11 with Debtors. However, Movant may not enforce, or threaten to enforce, any personal liability against
12 Debtors if Debtors' personal liability is discharged in this bankruptcy case.

13 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter
14 to which the Debtor may convert.

15
16 DATED this ____ day of _____, 2009.

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18 JUDGE OF THE U.S. BANKRUPTCY COURT
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